

**AFFIRMATIVE PROCUREMENT PROGRAM FOR PRODUCTS
CONTAINING RECOVERED MATERIALS**

1. REASON FOR ISSUE. This handbook establishes the Department of Veterans Affairs (VA) Affirmative Procurement Program (APP) for Products Containing Recovered Materials and provides Department-wide guidance for implementing an effective program required by Section 6002 of the Resource Conservation and Recovery Act; Executive Order 12873, Federal Acquisition, Recycling, and Waste Prevention, and Office of Federal Procurement Policy Letter 92-4.

2. SUMMARY OF CONTENTS

a. This handbook sets forth procedures on the implementation of the VA Affirmative Procurement Program for Products Containing Recovered Materials.

b. It identifies responsibilities for the Department's Environmental Executive, as well as responsibilities for VA employees engaged in procuring certain items designated by the Environmental Protection Agency as containing recoverable material. It outlines four elements required in establishing an APP:

- (1) Procurement Preference Program.
- (2) Preference Program for Other Than Designated Items.
- (3) Promotion Program.
- (4) Annual Review and Monitoring.

3. RESPONSIBLE OFFICE. The VA Environmental Executive, Deputy Assistant Secretary for Office of Acquisition and Materiel Management (90).

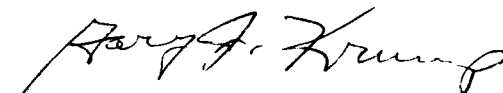
4. RELATED DIRECTIVE. VA Directive 0052, VA Affirmative Procurement Program for Products Containing Recovered Materials.

CERTIFIED BY:



NADA D. HARRIS
Deputy Assistant Secretary for
Information Resources Management

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS**



GARY J. KRUMP
Acting Assistant Secretary for
Acquisition and Facilities

**AFFIRMATIVE PROCUREMENT PROGRAM FOR PRODUCTS
CONTAINING RECOVERED MATERIALS**

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AFFIRMATIVE PROCUREMENT PROGRAM FOR PRODUCTS CONTAINING RECOVERED MATERIALS

1. PURPOSE. This handbook contains mandatory procedures required to implement the VA Affirmative Procurement Program for Products Containing Recovered Materials in complying with Section 6002 of the Resource Conservation and Recovery Act; Executive Order 12873, Federal Acquisition, Recycling, and Waste Prevention; and Office of Federal Procurement Policy Letter 92-4. It provides Department-wide guidance for implementing an effective program. The purpose of Federal affirmative procurement programs is to foster markets for recovered materials by maximizing the Federal Government purchases of recycled products and use of products containing recovered materials.

2. AUTHORITY. The following documents establish the requirements for affirmative procurement programs:

a. Section 6002 of the Resource Conservation and Recovery Act (RCRA) requires Federal agencies to procure items composed of the highest percentage of recovered materials practicable. It also requires the Environmental Protection Agency (EPA) to prepare guidelines setting forth information on the availability, sources, and potential uses of recovered materials and associated products.

b. Executive Order 12873, Federal Acquisition, Recycling, and Waste Prevention, mandates each Federal agency to designate an Agency Environmental Executive to coordinate the development of an agency waste reduction and recycling program. It reinforces the requirement of RCRA for Federal agencies to establish affirmative procurement programs to promote the purchase of products containing recovered materials and implements solid waste prevention and recycling programs. It also establishes the requirement that agencies purchase 100 percent of items designated by the Environmental Protection Agency.

c. The Office of Federal Procurement Policy (OFPP) Letter 92-4, Procurement of Environmentally-Sound and Energy-Efficient Products and Services, sets forth additional policy that executive agencies should consider when purchasing products that will enhance conservation of the environment or promote energy efficiency.

3. RESPONSIBILITIES OF THE AGENCY ENVIRONMENTAL EXECUTIVE. The VA Environmental Executive will ensure that a program is established in VA to develop, issue, and review Department-wide guidance and support relative to procurement and acquisition, standards and specification review, facilities management, waste prevention and recycling, and logistics as follows:

a. Coordinate all environmental programs in the areas of procurement and acquisition, standards and specifications review, facilities management, waste prevention and recycling, and logistics.

b. Participate in the interagency development of a Federal plan to create an awareness and outreach program for the private sector to facilitate markets for environmentally preferable and recycled products and services, promote new technologies, improve awareness about Federal efforts in this area, and expedite Departmental efforts to procure new products identified under Executive Order 12873.

c. Establish incentives, provide guidance, and coordinate appropriate educational programs for Department employees.

d. Coordinate the development of standard Department reports required by Executive Order 12873.

e. Review Department programs and acquisitions to ensure compliance with Executive Order 12873.

f. Track and report Department purchases of guideline items.

g. Ensure these procedures are incorporated into all Department solicitations and contracts and the items are purchased to the maximum extent possible.

4. DEFINITIONS

a. **Affirmative Procurement Program.** A program that assures items composed of recovered materials will be purchased to the maximum extent practicable, consistent with Federal procurement law. An affirmative procurement program consists of four components:

(1) Procurement Preference Program.

(2) Preference Program for Other Than Designated Items.

(3) Promotion Program.

(4) Annual Review and Monitoring.

b. **Designated Item.** An item that has been designated in an EPA procurement guideline that is, or can be, produced using recovered materials. To date, the EPA has identified five items that are, or can be, produced using recovered materials. Those items are paper and paper products, cement and concrete, building insulation, lubricating oils, and tires.

c. **Environmentally-Sound.** A product or service that minimizes damage to the environment and is less harmful to the environment to use, maintain, and dispose of in comparison to a competing product or service.

d. **Minimum-Content Standard.** The minimum amount of recovered material that a designated item must contain. Minimum-content standards must be included in specifications that include designated items.

e. Post-Consumer Waste. A material or product that has served its intended use and has been discarded for disposal after passing through the hands of a final user. Post-consumer waste is part of the broader category of “recycled material.”

f. Procurement Guidelines. Guidelines issued by the EPA, pursuant to Section 6002 of the RCRA, that identify items that are, or can be, produced with recovered materials and where procurement of such items will advance the objectives of the Act.

g. Recycled Cartridge. A laser printer, photocopier, or microphotographic toner cartridge which has been remanufactured in the United States by a small-business concern and certified by an independent laboratory to meet generally accepted industry standards.

h. Recycled Material. A material that can be utilized in place of a raw or virgin material in manufacturing a product and consists of materials derived from post-consumer waste, industrial scrap, material derived from agricultural waste, and other items, all of which can be used in the manufacture of new products.

i. Recovered Material. Waste material and by-products which have been recovered or diverted from solid waste. This term does not include materials and by-products that are generated from, and commonly reused within, an original manufacturing process.

5. PROCUREMENT PREFERENCE PROGRAM

a. The RCRA, Section 6002, requires executive agencies to establish affirmative procurement programs for each item designated by the EPA when the purchase price of the designated item exceeds \$10,000 or where the quantity of such item or functionally equivalent items purchased in the course of the preceding fiscal year was worth \$10,000 or more.

(1) Activities responsible for drafting and revising specifications shall ensure such specifications:

- (a) do not contain prohibitions against the use of recovered materials,
- (b) do not require the item to be manufactured from virgin materials, and
- (c) require the use of recovered materials to the maximum extent possible.

(2) Requesting activities are responsible for ensuring items containing recovered materials are considered. If items containing recovered materials or meeting the guideline recommendations (e.g., minimum-content standard) are not desired, an explanation must be provided to the contracting officer.

b. Future EPA designated items will be incorporated into this program no later than 1 year after such designation.

6. PREFERENCE PROGRAM FOR PURCHASE OF PAPER AND PAPER PRODUCTS. For all paper and paper products acquired through the General Services Administration (GSA) or the Government Printing Office (GPO), it is VA preference to:

a. Purchase paper and paper products identified in the "GSA Recycled Products Guide" or the "GSA Supply Catalog" to the maximum extent possible. Copies of the "GSA Recycled Products Guide" or the "GSA Supply Catalog" may be obtained by contacting the GSA Centralized Mailing List Service (7CAFL), P.O. Box 6477, Fort Worth, TX 76115, FTS (817) 3345215 or commercial (817) 3345215.

b. Refrain from specifying coated papers, brand name papers, and other specialty or fancy grades of paper for products with a limited useful life, such as annual reports, catalogs, training materials, and telephone directories. Newsprint containing recycled content should be considered for most limited-life documents.

c. When purchasing from sources other than GSA and other Federal sources, the products shall meet the EPA minimum-content standards stated in 40 CFR Part 250 (see Appendix A).

7. PREFERENCE PROGRAM FOR PURCHASE OF CEMENT AND CONCRETE CONTAINING FLY ASH

a. Preference standards for cement and concrete containing fly ash are based on EPA's Guideline for Federal Procurement of Cement and Concrete Containing Fly Ash, 40 CFR, Part 249.

b. All applicable statements of work, procurement requests, and grants involving the purchase of cement and concrete shall specify the performance requirements of such products using appropriate preference standards.

8. PREFERENCE PROGRAM FOR PURCHASE OF BUILDING INSULATION PRODUCTS

a. Preference standards for designated building insulation products based on the EPA Guideline for Federal Procurement of Building Insulation Products Containing Recovered Materials, 40 CFR, Part 248 (Subpart C), are set forth in Appendix B.

b. All applicable statements of work, procurement requests, and grants involving the purchase of building insulation shall specify the performance requirements for such products using appropriate preference standards.

9. PREFERENCE PROGRAM FOR PURCHASE OF LUBRICATING OILS CONTAINING RE-FINED OIL

a. Preference standards for re-refined engine lubricating oils, hydraulic fluids, and gear oils in accordance with military specifications (MIL Specs), based on EPA's Guideline for Federal Procurement of Lubricating Oils Containing Re-Refined Oil, 40 CFR Part 252 (Subpart B), are set forth in Appendix C.

b. All applicable statements of work, procurement requests, and grants involving the purchase of lubricating oils shall specify the performance requirements for such products using appropriate preference standards.

10. PREFERENCE PROGRAM FOR PURCHASE OF RETREAD TIRES

a. Preference standards for retread tires are based on EPA's Guideline for Federal Procurement of Retread, 40 CFR Part 253 (Subpart B), consistent with vehicle manufacturer specifications.

b. All applicable statements of work, procurement requests, and grants involving the purchase of retread tires shall specify the performance requirements for such products using appropriate preference standards.

c. Retreading services and retread tires are available through the GSA Federal Tire Program. When tire retreading services are not available or practicable, retread replacement tires shall be purchased. When retread tires are available in the size, load range, and tread designation desired, retread replacement tires for automobiles, light and heavy trucks and trailers, buses, and off-the-road vehicles shall be purchased from GSA.

11. PREFERENCE PROGRAM FOR OTHER THAN DESIGNATED ITEMS

a. **Preference Program for Recycled Toner Cartridges.** Section 6962j of Public Law 102-393, the Treasury, Postal Service, and General Government Appropriations Act of 1993, contained a provision which states Federal agencies shall prefer recycled toner cartridges. Accordingly, purchases of replacement toner cartridges shall specify recycled cartridges that are available from GSA or other Federal sources. Purchasers of toner cartridges for use in laser printers, photocopiers, facsimile machines, or micrographic printers may give preference to remanufactured toner cartridges made in the United States by small businesses and recycled toner unless it is determined in writing that:

(1) Remanufactured or recycled cartridges are not available within time frames needed.

(2) Market research establishes that remanufactured or recycled toner cartridges for the type of equipment used do not exist.

(3) The price or life-cycle cost offered for the cartridge is higher than the cost of a new cartridge.

b. **Preference Program for Soy-Based Inks.** Soy-based inks have been determined to be more environmentally-sound than petroleum-based inks, produce less hazardous waste, and are less vaporous than petroleum-based inks. In addition to environmental advantages, soy-based inks dry quickly on a variety of paper stock, have excellent smudge resistance, and are readily available as an American agricultural product. Therefore, soy-based inks shall be used for all in-house and contracted printing, to the maximum extent possible.

12. PROMOTION PROGRAM. The VA Environmental Executive is responsible for actively promoting the Department's desire to buy recycled products by:

- a. Periodically announcing the VA recovered materials preference program in trade publications, recycling journals, and procurement publications.
- b. Providing informational materials and training to program and procurement offices regarding the VA recovered materials preference program through internal documents and newsletters and at appropriate workshops, conferences, and meetings.
- c. Providing vendor and product information from the GSA Federal Supply Schedule, or other established Federal supply sources, to procurement offices and outside vendors.

13. ESTIMATION, CERTIFICATION, AND VERIFICATION

a. Estimation. Procurement offices will require vendors to provide an estimate of the total recycled content of their products and certify that the recycled content will meet minimum content standards (recycled content is usually measured as a percentage of the total content) on EPA designated items. The minimum content standards for designated items shall be specified in the statement of work. Vendors responding to bids for EPA designated items must meet the minimum content standards; therefore, a separate estimate from the vendor regarding the percentage of recovered material in the product is not required unless the product exceeds the minimum content standards specified. Contracting officers are required to keep estimations for no less than 3 years.

b. Certification. Vendors are responsible for:

- (1) Providing written certification to the contracting officer that their products meet minimum content standards.
- (2) Maintaining copies of certification documents.
- (3) Producing copies of the written certification upon request by VA.

Contracting officers shall ensure that the Federal Acquisition Regulation clause 52.223-4, Recovered Material Certification, is included in all solicitations that incorporate specifications requiring the use of recovered materials. Additionally, the certification in Percentage of Recovered Materials Supplied (Appendix E) will be included in all solicitations, as applicable.

c. Verification. The VA Environmental Executive shall periodically review vendor certification documents as part of the annual review and monitoring process to verify compliance.

14. WAIVERS

a. The requirements of this directive may be waived if a determination has been made that:

(1) Items produced with recovered or recycled materials do not meet the reasonable performance standards set forth in the specifications.

(2) Obtaining items with recovered or recycled materials results in unreasonable delivery delays.

(3) The price of items with recovered or recycled materials is unreasonable.

(4) The requirement for items produced with recovered or recycled materials results in inadequate competition.

b. V A Form 0232, Procurement Request For Items Containing Recovered Materials (Appendix D), justifying why items containing recovered or recycled materials cannot be purchased, will be provided to the contracting officer for all purchases over \$10,000 when items containing recovered materials are available. The contracting officer will include the certification in the contract file with the purchase request and forward a copy to the Department Environmental Executive within 30 days of receipt for annual reporting purposes.

c. The Deputy Assistant Secretary for Acquisition and Materiel Management (90), VA Central Office (VACO), as the VA Environmental Executive, will establish reasonable verification procedures to assess the average amount of recovered materials used in each guideline product.

15. SPECIFICATIONS REVIEW

a. Program offices shall review and revise specifications, product descriptions, and standards during the acquisition planning stage to enhance VA procurement of recycled and environmentally preferable products. Standards or specifications, unrelated to performance, that present barriers to the procurement of recycled or environmentally preferable products shall be revised or eliminated when reviewing or drafting procurement specifications. When using Commercial Item Descriptions (CID) during procurement actions, Department program offices and contractors shall ensure that environmental factors have been considered and the CID meets or exceeds the environmentally preferred criteria of the Government specification or product description.

b. When notified by the Federal Environmental Executive that a specification, standard, or product is inconsistent with RCRA Section 6002, the Department's Environmental Executive shall respond as to why the specification cannot be revised or submit a plan for revising it within 60 days.

16. GOALS, ANNUAL REVIEW, MONITORING, AND REPORTING**a. Goals**

(1) **Goals for Waste Reduction.** The VA Environmental Executive shall ensure that goals for solid waste prevention and for recycling to be achieved by the year 1995 are established. These goals will be submitted to the Federal Environmental Executive in the annual report.

(2) **Goal for Increasing the Procurement of Recycled and Other Environmentally Preferable Products.** The VA Environmental Executive shall ensure that the Department strives to increase the procurement of products environmentally preferable or that are made with recovered materials and sets annual goals to maximize the number of recycled products purchased, relative to non-recycled alternatives.

b. Annual Review and Monitoring. On an annual basis, the VA Environmental Executive will review and monitor the affirmative procurement program to determine whether the program is effective. The VA Environmental Executive will consult with the appropriate VACO offices to assess whether greater use of recovered materials and environmentally-sound products is feasible and whether the existing requirements are causing undue delivery delays, inadequate competition, unreasonable prices, or unacceptable performance.

c. Reporting

(1) The VA Environmental Executive is responsible for tracking VA purchases of EPA-designated items and reporting on this information annually to the Office of Federal Procurement Policy and the Federal Environmental Executive. OFPP has devised a standard reporting format for all Federal agencies (Appendix F).

(2) The report shall contain information on VA compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of recycled and environmentally preferable products. The VA Environmental Executive must also justify why designated items have not been purchased or submit a plan for increasing VA purchases for the designated item(s).

17. MODEL FACILITIES PROGRAM. The VA Environmental Executive shall ensure model facility demonstration programs that include comprehensive waste prevention and recycling programs, and emphasize the procurement of recycled and environmentally preferable products and services using an electronic data interchange (EDI) system.

18. AWARDS. The VA Environmental Executive shall develop an awards program, as appropriate, to award the most innovative environmental programs. Winners of this award will be eligible for the White House Award Program, which will be presented annually to the most innovative program implementing the objectives of the Affirmative Procurement Program for Products Containing Recovered Materials.

19. WASTE PREVENTION. To promote waste prevention throughout the Department, employees are strongly encouraged to use such techniques as electronic transfer and double-sided copying of all documents. Contracts, grants, and cooperative agreements shall include provisions that require documents be printed double-sided on recycled paper meeting or exceeding VA paper preference standards (Appendix A). Contracting offices shall use Electronic Data Interchange (EDI) acquisition systems to the maximum extent feasible. Electronic acquisition systems will also foster accurate data collection and reporting of VA purchases of recycled content and environmentally preferable products.

EPA RECOMMENDED MINIMUM-CONTENT STANDARDS
FOR SELECTED PAPER AND PAPER PRODUCTS

	Minimum % Post-consumer Recovered Materials	Minimum % Waste Paper
<hr/>		
High grade bleached printing and writing papers:		
Offset printing		50
Mimeo and duplicator paper		50
Writing (stationary)		50
Office paper (e.g., note pads)		50
Paper for high speed copiers		50
Envelopes		50
Forms bond, including computer paper and carbonless		50
Book papers		50
Bond papers		50
Ledger		50
Cover stock		50
Cotton fiber paper		50
Waste paper plus 25 percent recovered cotton or linen fiber		
Newsprint	40	
Tissue products:		
Toilet tissue	20	
Paper towels	40	
Paper napkins	30	
Facial tissue	5	
Doilies	40	
Industrial wipes	0	
Unbleached packaging:		
Corrugated boxes	35	
Fiber boxes	35	
Brown papers (e.g., bags)	5	
Paperboard products, including folding cartons	80	
Pad backing	90	

**EPA RECOMMENDED MINIMUM-CONTENT STANDARD FOR
RECOVERED MATERIAL IN BUILDING INSULATION PRODUCTS**

Material Type	Percent By Weight
Cellulose loose-fill and spray on	75% post-consumer recovered paper
Perlite composition board	23% post-consumer recovered paper
Plastic rigid foams:	
Polyisocyanurate/polyurethane	
Rigid foam	9% recovered material
Foam-in-place	5% recovered material
Glass fiber reinforced	6% recovered material
Phenolic rigid foam	5% recovered material
Rock wool	50% recovered material

NOTE: *The minimum-content standards are based on the weight of the material (not volume) in the insulating core only.*

**EPA RECOMMENDED MILITARY SPECIFICATIONS FOR
LUBRICATING OILS CONTAINING RE-REFINED OIL**

1. Engine Lubricating Oils

- a. MIL-L-461523 (or current version) - Lubricating Oil, Internal Combustion Engine, Administrative Service
- b. API Engine Service Category CC - Diesel Engine Service
- c. API Engine Service Category CD - Diesel Engine Service
- d. MIL-L-2104D (or current version) - Lubricating Oil, Internal Combustion Engine, Preservative and Break-in
- e. PA Engine Service Category CD - Diesel Engine Service
- f. MIL-L-21260D (or current version) - Lubricating Oil, Internal Combustion Engine, Preservative and Break-in
- g. MIL-L-46167 (or current version) - Lubricating Oil, Internal Combustion Engine, Arctic

2. Hydraulic Fluids

- a. MIL-H-5606 (or current version) - Hydraulic Fluid, Petroleum Base: Aircraft, Missile, and Ordnance
- b. MIL-H-608J (or current version) - Hydraulic Fluid, Petroleum Base: for Preservation and Operation

3. **Gear** Oils. MIL-L-2105D (or current version) - Lubricating Oil, Gear, Multipurpose

PROCUREMENT REQUEST FOR ITEMS CONTAINING RECOVERED MATERIALS

1. The Statement of Work/Specifications involves the use of items subject to RCRA Section 6002?

a. Yes____N o -

b. If yes, the items are: _____

2. The specification for the item(s) complies with the applicable RCRA Section 6002 Procurement Guideline?

a. Yes____No____

b. If no, check the appropriate box and provide an explanation why items containing recovered materials and meeting Guideline recommendations (e.g., minimum-content standards) were not used.

- (1) _____ Recovered items do not meet all reasonable performance specifications.
- (2) _____ Obtaining designated items results in unusual and unreasonable delays.
- (3) _____ The price is unreasonable.
- (4) _____ Applying minimum-content standards results in inadequate competition.

(Explanation may be provided in a separate attachment)

 Signature of Requesting Activity Official

 Date

PERCENTAGE OF RECOVERED MATERIALS SUPPLIED CERTIFICATION

“Designated Item” is an item that has been designated in an EPA procurement guideline as an item that is, or can be, produced using recovered materials. To date, the EPA has identified five items that are, or can be, produced using recovered materials. Those items are paper and paper products, cement and concrete, building insulation, lubricating oils, and tires.

“Minimum-Content Standard” is the minimum amount of recovered material that a designated item must contain.

“Procurement Guidelines” are guidelines issued by the EPA pursuant to Section 6002 of RCRA that identify items that are, or can be, produced with recovered materials and where procurement of such items will advance the objectives of the Act. EPA has published five guidelines to date.

Statement of certification: “For each designated item supplied under this contract, the offeror/bidder will identify the percentage of recovered material contained in each”.

DESIGNATED ITEM(S)

PERCENTAGE OF RECOVERED
MATERIALS

ANNUAL REPORT TO OFFICE OF FEDERAL PROCUREMENT POLICY

Date Prepared:

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) Agency Summary Report for Fiscal Year 199

Agency or Department:_____

Agency Contact:_____
(Name)

(Title) :_____

Telephone Number:_____

I. Specifications. RCRA Section 6002(d) requires that Federal activities having responsibility for preparing specifications review them to eliminate unnecessary requirements for the use of virgin materials and add preferences for recovered materials.

a. Does your agency have responsibility or control over a particular Federal Supply Schedule class, specification, or standard? Yes _____ No _____

b. How many product specifications, standards, Commercial Item Descriptions (CIDs), product descriptions or other similar documents does your agency control?

c. How many such documents have been reviewed prior to FY 199____ to:

(1) Remove any unnecessary requirements for virgin material only? _____

(2) Remove language prohibiting the use of recovered material? _____

(3) Add preference language for recovered materials? _____

d. How many requirements for virgin materials only were deleted from such documents prior to FY 199____? _____

e. How many references of language prohibiting the use of recovered materials were removed from such documents prior to FY 199____? _____

f. How many preferences for recovered materials were added to such documents prior to FY 199____? _____

g. How many such documents were reviewed in FY 199____ to: _____

(1) Remove any unnecessary requirements for virgin material only? _____

(2) Remove language prohibiting the use of recovered materials? _____

(3) Add preference language for recovered materials? _____

h. How many requirements for virgin materials only were deleted from such documents in FY 199____? _____

i. How many references of language prohibiting use of recovered materials were removed from such documents in FY 199____? _____

j. How many preferences for recovered materials were added to such documents in FY 199____? _____

(Please provide examples of added or deleted requirements (append additional pages, if necessary.)

k. How many documents are scheduled for review in FY 199____? _____

l. Do you know of any requirement for virgin materials or language prohibiting the use of recovered materials that should be deleted from specifications, CIDs, or product descriptions?
Yes _____ No _____

m. If yes, have you advised the managing agency to remove the requirement?
Yes _____ No _____

n. Do you know of any specifications, CIDs, or product descriptions that could be improved with the addition of preference language for recovered materials?
Yes _____ No _____

o. If yes, have you advised the managing agency to add the requirements?
Yes _____ No _____

(Please provide some details such as copies of correspondence, examples of product, and descriptions of actions.)

2. Affirmative Procurement Program

a. Specific Requirements. RCRA, Section 6002(1), requires that, within 1 year after date of publication of applicable guidelines by EPA, each procuring agency develop an affirmative procurement program to assure that items composed of recovered materials are purchased to the maximum extent practicable. To date, VA has published guidelines for the following products:

Description	Federal Register (Fit) Notice and Date	Code of Federal
Cement and Concrete Containing Fly Ash	48 Fit 4230 1 /28/83	40 CFR Part 249
Paper and Paper Products	53 FR 23546 6/22/88	40 CFR Part 250
Lubricating Oils Containing Refined Oil	53 FR 24699 6/30/88	40 CFR Part 252
Retread Tires	53 FR 46558 11/17/88	40 CFR Part 253
Building Insulation Products	54 FR 7328 2/17/89	40 CFR Part 248

(1) Fly Ash

(a) Has your agency implemented an affirmative procurement program for cement and concrete containing fly ash? Yes _____ No _____

(b) If yes, when? Date _____. Does the program meet the minimum requirements of RCRA, Section 6002(i), and 40 CFR Part 249? Y es No _____

(c) If yes, please attach a copy. If no, please provide schedule for full implementation.

(d) Total dollar amount of concrete and cement purchased by your agency in FY 199____.
\$_____

(e) Total dollar amount of concrete and cement containing fly ash purchased by your agency in FY 199____. \$_____

(f) If the dollar amount of concrete and cement containing fly ash purchased is less than the total amount of concrete and cement purchased, is the difference attributable to:

1. Lack of a good preference program? Yes _____ No _____
2. Lack of availability of concrete and cement containing fly ash at competitive prices? Yes _____ No _____
3. Differing performance requirements of the two products? Yes N o _____
4. Lack of specific contract or other provision that identifies a clear preference for concrete and cement containing ash? Yes _____ No _____
5. Other reasons, such as lack of availability, competition, or an unusual or unreasonable delay? Y e s No _____ (append pages to describe)

(2) **Paper and Paper Products.** GSA will provide data for agency purchases of paper products made through their retail and wholesale stock program. However, please provide amounts for agency purchases from any other source.

a. Has your agency implemented an affirmative procurement program for recycled paper and paper products? Y e s No _ . . .

b. If yes, when? Date: _____. Does the program meet the minimum requirements of RCRA, Section 6002(i), and 40 CFR Part 250? Y e s No _____

c. If yes, please attach copy. If no, provide schedule for full implementation.

d. Total dollar amount of paper and paper products purchased by your agency from sources other than GSA retail and wholesale stock programs in FY 199____. \$ _____

e. Total dollar amount of paper and paper products containing recycled material purchased by your agency from sources other than GSA retail and wholesale stock programs in FY 199____ 4. \$ _____

f. If the dollar amount of recycled paper and paper products purchased is less than the amount of paper and paper products purchased, is the difference attributable to:

1. Lack of a good preference program? Yes _____ No _____
2. Lack of availability of recycled paper at competitive prices? Yes _____ No _____
3. Differing performance requirements of the two products? Y e s No _____

4. Lack of specific contract or other provision that identifies a clear preference for recycled paper products? Yes No

5 Other reasons, such as lack of availability, competition, or an unusual or unreasonable delay? No e s (append pages to describe)

(3) Lubricating Oil

a. Has your agency implemented an affirmative procurement program for lubricating oils containing re-refined oil? Yes _____ No _____

b. If yes, when? Date: _____. Does the program meet the minimum requirements of RCRA, Section 6002(i), and 40 CFR, Part 252? Yes _____ No _____

c. If yes, please attach copy. If no, provide schedule for full implementation.

d. Total dollar amount of lubricating oils purchased by your agency in FY 199____.
\$ _____

e. Total dollar amount of lubricating oils containing re-refined oil purchased by your agency in FY 199____. \$ _____

f. If the dollar amount of lubricating oil containing re-refined oil purchased is less than the total amount of lubricating oil purchased, is the difference attributable to:

1. Lack of a good preference program? Yes _____ No _____

2. Lack of availability of re-refined oil at competitive prices? Yes N _____ o

3. Differing performance requirements of the two products? Yes _____ N o _ - -

4. Lack of specific contract or other provision that identifies a clear preference for re-refined oil? Yes _____ No _____

5. Other reasons, such as lack of availability, competition, or an unusual or unreasonable delay? Yes _____ No _____ (append pages to describe)

(4) Retread Tires. [Refer to the Federal Supply Schedule for Pneumatic Tires, FSC Group 26 Part II, Section A, for items covered by this guideline.]

a. Has your agency implemented an affirmative procurement program for retread tires? Yes _____ No _____

b. If yes, when? Date: _____. Does the program meet the minimum requirements of RCRA, Section 6002(i), and 40 CFR Part 253? Y e s N o - - -

c. If yes, please attach copy. If no, provide schedule for full implementation.

d. Total dollar amount for tires (excluding airplane tires) purchased by your agency in FY 199____. \$_____

e. Total dollar amount of retread tires (excluding airplane tires) purchased by your agency in FY 199____. \$_____

f. If the dollar amount of retread tires purchased is less than the total amount of tires purchased, is the difference attributable to:

1. Lack of a good preference program? Yes_____ No _____

2. Lack of availability of retread tires at competitive prices? Y es No _____

3. Differing performance requirements of the two products? Yes _____ No _____

4. Lack of specific contract or other provision that identifies a clear preference for retread tires? Yes _____ No _____

5. Other reasons, such as lack of availability, competition, or an unusual or unreasonable delay? Yes _____ No _____ (append pages to describe)

(5) Building Insulation Products

a. Has your agency implemented an affirmative procurement program for building insulation products containing recycled materials? Yes No _____

b. If yes, when? Date:_____. Does the program meet the minimum requirements of RCRA, Section 6002(i), and 40 CFR Part 248? Yes _____ No _____

c. If yes, please attach copy. If no, please provide schedule for full implementation.

d. Total dollar amount of building insulation products purchased by your agency in FY 199____. \$_____

e. Total dollar amount of building insulation products containing recycled materials purchased by your agency in FY 199____. \$_____

f. If the dollar amount of building insulation products containing recycled materials purchased is less than the total amount of building insulation purchased, is the difference attributable to:

1. Lack of a good preference program? Yes _____ No _____

2. Lack of availability of building insulation product containing recycled materials at competitive prices? Yes_____ No_____

3. Differing performance requirements of the two products? Yes No_____

4. Lack of specific contract or other provision that identifies a clear preference for building insulation products containing recycled materials? Yes _____ No_____

5. Other reasons, such as lack of availability, competition, or an unusual or unreasonable delay? Yes_____No_____ (add pages as necessary)

3. General Requirements

a. Describe, using additional pages as necessary, the principal elements of your agency's affirmative procurement program(s) for:

(1) Giving preference to and promoting the acquisition and use of the products covered by the EPA guidelines.

(2) Requiring the estimation, certification, and verification of recovered materials utilized in the performance of a contract.

(3) Requiring language in contracts for the purchase and use of products covered by the EPA guidelines.

(4) Reviewing and monitoring the effectiveness of your affirmative procurement program(s).

b. Describe other actions taken by your agency to acquire products containing recycled materials.

c. Describe problems and suggestions for resolving any problems encountered by your agency in complying with RCRA.

d. Other.

(1) Please identify the kinds of recycled items, other than the guideline items, purchased by your agency.

(2) What future EPA guidelines could be developed to cover your agency's major acquisitions and have the greatest impact on reducing the solid waste stream?

(3) How has the implementation of Executive Order 12873 on Acquisition, Recycling, and Waste Prevention affected your agency's acquisition and procurement of recycled products?